

1 to work?

2 A There were new faces when I came back.

3 Q Did you get to know those people when you  
4 worked with them?

5 MR. SIMON: Objection. It states facts  
6 not in evidence but go ahead and try to answer the  
7 best you can.

8 A No.

9 Q Were you in the soil room the whole time  
10 that you were back from 2001 to 2002?

11 A Yes.

12 Q When you were in the soil room you could  
13 see who is operating the tunnel, can't you?

14 A Yes.

15 Q Who was operating the tunnel at that  
16 point?

17 A It was new faces. I don't remember their  
18 names.

19 Q What did they look like?

20 A Latinos.

21 Q They were all Latinos?

1 A It was Latinos and blacks.

2 Q And you don't remember the names of any of  
3 the people you saw?

4 A I seen Howard White was working on one of  
5 the tunnels. He is the only one that I really know.

6 Q Who was working the dryers when you came  
7 back in 2001?

8 A I wasn't in that area.

9 Q So you don't know who was operating the  
10 dryers?

11 A No.

12 Q Did you know any of the other people who  
13 were reinstated in 2001 like you were?

14 A It was one other guy but he didn't stay  
15 there long.

16 Q Who was that?

17 A I can't recall his name but I remember his  
18 face.

19 Q What did he look like?

20 A He was a black guy, plats in his hair,  
21 medium build.

1 Q You indicate there was no overtime?

2 A No overtime.

3 Q Do you think that was because of your  
4 race?

5 MR. SIMON: Objection. Asked and answered  
6 but you can answer again.

7 A Can you repeat the question?

8 Q Do you think that the reason you didn't  
9 work overtime was because of your race?

10 A Yes.

11 Q Who was working overtime?

12 A The Latinos was working overtime.

13 Q And what Latinos was that?

14 A I know I should know one of them. Santo,  
15 no, not Santo. I can't remember their name.

16 Q What job did the person do or those people  
17 do?

18 A They was operating the machines.

19 Q When you say operating the machines what  
20 does that mean?

21 A The tunnel, the press, the dryers.

1 Q Did anybody who was working in the soil  
2 room with you work overtime?

3 A No.

4 Q Did you complain to anybody about your  
5 assignment?

6 A About working overtime?

7 Q No, about your assignment to the soil  
8 room?

9 A I don't understand.

10 Q Did you complain to anybody, did you tell  
11 anybody you thought it was discriminatory?

12 A I told the supervisor.

13 Q Okay. Is that McCoy?

14 A Yeah.

15 Q And what did he say?

16 A He didn't say too much.

17 Q What exactly is it that you told him?

18 A He say he will see what he can do.

19 Q No, what is it that you told him?

20 A What did I tell him?

21 Q Um-hum.

1 A Can I work the press or try to work the  
2 tunnel or the side loader.

3 Q Did you say anything else to him?

4 A No.

5 Q And his response is he would see what he  
6 could do?

7 A Yeah.

8 Q But you stayed in the soil room doing the  
9 sorting work?

10 A Pardon me?

11 Q Did you stay in the soil room doing the  
12 sorting work after that?

13 A Yep, yes.

14 Q The union came in not long after you came  
15 back; is that correct?

16 A That's correct.

17 Q Once the union came in how did job  
18 assignments work?

19 A Everything was going pretty smooth but it  
20 wasn't no overtime.

21 Q Do you think that was discriminatory?

1 A Yes, it were.

2 Q And why do you think that?

3 MR. SIMON: Objection. Asked and  
4 answered. You already asked him that same question.

5 MS. PHELAN: Good. Phil, asking somebody  
6 a question twice is not something you should be  
7 complaining about but you can go ahead and answer.

8 MR. SIMON: She already asked you, you  
9 already answered. You can go ahead and give an  
10 answer. Can you repeat the question for him, please?

11 Q The question was why do you believe that  
12 the fact that there was no overtime after the union  
13 came in was discriminatory?

14 A Because I asked for it and they wouldn't  
15 give it to me.

16 Q Who was they?

17 A The supervisor.

18 Q And who was that?

19 A Ted, Todd.

20 Q Did any of the employees get overtime?

21 A Not that I know of.

1 Q Did you ever complain to the union about  
2 not getting overtime?

3 A No.

4 Q After the union came in how did pay work?

5 A The pay was fair.

6 Q You say the pay was fair?

7 A Yeah.

8 Q After the union came in?

9 A Yeah, according to the position what area  
10 you work in.

11 Q Did you ever complain to the union about  
12 your job assignment?

13 A Yes.

14 MR. SIMON: I'm sorry. Go ahead.

15 A Yes, I mentioned it.

16 Q Tell me who you complained to.

17 A I mentioned it to Russell.

18 Q What did he say?

19 A I told him that I wasn't getting no  
20 overtime, is there anything that he can do.

21 Q What did he say?

1 A He said he will see what he can do.

2 Q Did you make any other complaints to the  
3 union after they came in?

4 A No.

5 Q In your Answers to Interrogatories you  
6 indicate that you knew that Brad and David Minetree  
7 had volatile tempers. Tell me what you knew about  
8 that.

9 A Pardon me? Say that again.

10 Q In your Answers to Interrogatories you say  
11 that you knew that Brad and David Minetree had  
12 volatile tempers.

13 A Yes.

14 Q What do you mean by that?

15 MR. SIMON: Objection.

16 MS. PHELAN: He is answering the question,  
17 Mr. Simon.

18 MR. SIMON: I can state an objection.

19 MS. PHELAN: Mr. Lloyd, would you like to  
20 leave the room?

21 MR. SIMON: He can stay here. I'm stating